UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,555	09/04/2003	Philip Scanlan	WORLDLINGO03-02	3333

52396 7590 11/02/2005	EXAMINER	
MORISHITA LAW FIRM, LLC	PATEL, MANGLESH M	
3800 HOWARD HUGHES PARKWAY		
SUITE 850	ART UNIT	PAPER NUMBER
LAS VEGAS, NV 89109	2178	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
Office Action Summary		10/657,555	SCANLAN, PHILIP
		Examiner	Art Unit	
		Manglesh M. Patel	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04 September 2003</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) <u>1-9</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) <u>1-9</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>04 September 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2 pg-August 5,2005</u>.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: IDS filed on August 5, 2005 to the

application filed on September 4, 2003.

2.   Claims 1-9 are pending. Claims 1, 6, 7 and 8 are independent claims.

Drawings

3.   The examiner has accepted the Drawings filed on September 4, 2003.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5.   Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Levin (U.S. Pub

2004/0102957, filed Nov 14, 2003 claims priority to a provisional filed Nov 22, 2002).

Regarding Independent claim 1, Levin discloses *a method of automatic translation of*

an electronic communication from a source language to one or more target languages

including the steps of:

- *Determining the source language of the electronic communication by identifying*

    a translation identifier or parsing said electronic communication with a language

identifier means (paragraphs 20, 83 & 110 wherein the invention interprets the structure in the source language and generates a translation based on the rules of the target language. Therefore it is inherent that the source language has to be identified in order to allow the translation of a target language by determining the source language. The parsing step includes breaking down the complex and varying structures, identifying parts of speech, resolving ambiguities, and synthesizing the information into a new language structure. The system can recognize the source language of the user automatically through OCR techniques which inherently include parsing);

- *Determining the target language for the electronic communication by reading a user profile of a user receiving the electronic communication* (paragraph 83 & 51, wherein based on user preferences that are stored the system accepts as inputs the source and target languages as designated by the user);

- *Comparing the target language and source language to determine a required translation* (paragraphs 20 & 36, wherein the source language is generated based on the rules of the target language therefore comparison of the two languages is inherent);

- *Obtaining the required translation* (paragraph 37, wherein the interface server receives the translated textual portion from the translation server, constructs the translated communication and finishes processing the communication in a manner desired by the user, therefore the required translation identified by the user is obtained);

- *And displaying the translated electronic communication to the user* (paragraph

   112, wherein the translation is displayed using a mobile device display screen).

Regarding Dependent claim 2, Levin discloses *wherein, the translation identifier is a*

language identifier such as an HTML tag in an HTML document (paragraph 37, wherein

the communication represents an HTML file, therefore the translation is identified using

an HTML tag).

Regarding Dependent claim 3, Levin discloses *wherein, the translation identifier is a*

translation information segment (paragraph 57, wherein the translation information

segment is identified by the ontological database that consists of hierarchically organized

lexicon).

Regarding Dependent claim 4, Levin discloses *wherein, if there is no translation*

identifier in said electronic communication, the method comprises the further step of:

- *Parsing the communication with a language identifier software to*

   determine the source language of the communication (paragraph 110,

   wherein the communication is parsed to identify the language to determine

   the source language. The invention can parse the SMS message, filter

   abbreviations, interpret the delivered message, screen the call

   identification information and establish an appropriate language pair for

   translation);

- *Or obtaining human intervention to identify the source language* (paragraphs 83 & 117, wherein the user can access language translation services without software modification. Based on user inputs the source language is identified).

Regarding Dependent claim 5, Levin discloses *wherein the step of determining the target language further includes the step of: reading a cookie or a file on a receiving machine to obtain the user profile or obtaining a preference language from a single sign-on system, such as Microsoft Passport.RTM. or other information repository* (paragraph 107, wherein at step 132 the system can determine whether the user has previously used or stored a dictionary within the system. This is done through the use of a cookie.).

Regarding Independent claim 6, Levin discloses *a seamless translation system comprising:*

- *An originating computer sending an electronic communication* (paragraphs 33 & 34, See fig 1, wherein a translation gateway allows an originating computer to send an electronic communication);

- *A receiving computer receiving a translated electronic communication* (paragraphs 33 & 34, See fig 1, wherein the translation gateway provides the translation to a receiving computer);

- *A network connecting the originating computer to the receiving computer* (paragraphs 33 & 34, wherein the invention is directed to a system and method

for performing language translation functions for communications over a

computer network);

- *And a translation manager performing the steps of: automatically determining*

  the language of the electronic communication (paragraph 118, wherein the users

  source language and the intended recipients target language are automatically

  determined based on information detected in the message sending process);

- *Automatically determining the preferred language of a user of the receiving*

  computer (paragraph 118, wherein the intended recipients target language is

  automatically detected);

- *Obtaining a translation from the language of the communication to the language*

  of the user (paragraph 37, wherein a translation is obtained from the translations

  server to a target language);

- *And sending the translated communication to the user* (paragraph 37, wherein the

  interface server receives the translated textual portion from the translation server,

  constructs the translated communication and finishes processing the

  communication in a manner desired by the user, therefore the required translation

  is sent to the user).

Regarding Independent claim 7, Levin discloses *a seamless translation system*

comprising:

- *An electronic communication originating from a source and in a source language containing a translation identifier* (paragraphs 20, 83 & 110 wherein the invention interprets the structure in the source language and generates a translation based on the rules of the target language. Therefore it is inherent that the source language has to be identified in order to allow the translation of a target language by determining the source language. The parsing step includes breaking down the complex and varying structures, identifying parts of speech, resolving ambiguities, and synthesizing the information into a new language structure. The system can recognize the source language of the user automatically through OCR techniques which inherently include parsing);

- *A user profile* (paragraph 83 & 51, wherein based on user preferences that are stored the system accepts as inputs the source and target languages as designated by the user, therefore a user profile exists);

- *And a translation manager including means for determining the source language and a target language of said electronic communication* (paragraph 118, wherein the users source language and the intended recipients target language are automatically determined based on information detected in the message sending process);

- *Wherein the translation manager executes a required translation of said source language to said target language using the translation identifier and the user profile* (paragraphs 88 & 19, wherein the identifier is used to specify the target

language or multiple languages for translation based on user information).

Regarding Independent claim 8, Levin discloses *a seamless translation system*

comprising:

- *An originating computer sending an electronic communication* (paragraphs

  33 & 34, See fig 1, wherein a translation gateway allows an originating

  computer to send an electronic communication);

- *A receiving computer receiving a translated electronic communication*

  (paragraphs 33 & 34, See fig 1, wherein the translation gateway provides the

  translation to a receiving computer);

- *A network connecting the originating computer to the receiving computer*

  (paragraphs 33 & 34, wherein the invention is directed to a system and

  method for performing language translation functions for communications

  over a computer network);

- *Automatic means for determining the language of the electronic*

  communication (paragraph 118, wherein the users source language and the

  intended recipients target language are automatically determined based on

  information detected in the message sending process);

- *Automatic means for determining the preferred language of a user of the*

  receiving computer (paragraph 118, wherein the intended recipients target

  language is automatically detected);

- *Means for obtaining a translation from the language of the communication to the language of the user* (paragraph 118, wherein the users source language and the intended recipients target language are automatically determined based on information detected in the message sending process which is the language identified by the user);

- *And means for sending the translated electronic communication to the user* (paragraph 37, wherein the interface server receives the translated textual portion from the translation server, constructs the translated communication and finishes processing the communication in a manner desired by the user, therefore the required translation is sent to the user).

Regarding Dependent claim 9, Levin discloses *a translation manager, said translation manager including:*

- *Said automatic means for determining the language of the electronic communication* (paragraph 118, wherein the users source language and the intended recipients target language are automatically determined based on information detected in the message sending process);

- *Said automatic means for determining the preferred language of a user of the receiving computer* (paragraph 118, wherein the intended recipients target language is automatically detected);

- *Said means for obtaining a translation from the language of the communication to the language of the user* (paragraph 118, wherein the users source language and

the intended recipients target language are automatically determined based on
information detected in the message sending process which is the language
identified by the user);

- *And said means for sending the translated electronic communication to the user*
(paragraph 37, wherein the interface server receives the translated textual portion
from the translation server, constructs the translated communication and finishes
processing the communication in a manner desired by the user, therefore the
required translation is sent to the user).

Other Prior Art Cited

6.   The prior art made of record and not relied upon is considered pertinent to applicant's
disclosure.

- Abir (U.S. Pub 2003/0083860) discloses "Content Conversion Method And
Apparatus"

- Twede et al. (U.S. Pub 2004/0205619) discloses "Method And System For
Chained Format Translation"

Conclusion

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Manglesh M. Patel whose telephone number is (571) 272-5937.
The examiner can normally be reached on M,F 8:30-6:00 T,TH 8:30-3:00 Wed 8:30-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen S. Hong can be reached on (571)272-4124. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Manglesh M. Patel

Patent Examiner

October 28, 2005

CESAR PAULA
PRIMARY EXAMINER